

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL HICKSON,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 25-2980
	:	
PECO ENERGY COMPANY, <i>et al.</i>,	:	
	:	
	:	
Defendants.	:	

ORDER

AND NOW, this ____ day of _____, 2025, upon consideration of the Motion of Defendants former Governor Tom Wolf and his Successor, Governor Josh Shapiro, for an extension of time to answer or otherwise respond to Plaintiff's Complaint, it is hereby **ORDERED** that the Motion is **GRANTED** and that Defendants Wolf and Shapiro shall file their responses to Plaintiff's Complaint by no later than October 3, 2025.

BY THE COURT:

Gerald A. McHugh, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL HICKSON,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 25-2980
	:	
PECO ENERGY COMPANY, et al.,	:	
	:	
	:	
Defendants.	:	

**DEFENDANTS WOLF AND SHAPIRO’S MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

Defendants former Governor Tom Wolf and his Successor, Governor Josh Shapiro, by counsel, hereby move this Honorable Court pursuant to Fed. R. Civ. P. 6(b) to extend the time for these Defendants to file an answer, motion, or other response to Plaintiff’s Complaint, through and including October 3, 2025, for the reasons contained in the accompanying memorandum.

Respectfully submitted,

DAVID W. SUNDAY, JR.
Attorney General

Date: August 1, 2025

By: /s/ Adrienne M. Box

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Adrienne M. Box
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Nicole R. DiTomo
Chief Deputy Attorney General
Civil Litigation Section

Counsel for Defendants Wolf and Shapiro

**IN THE UNITED STATES DISTRICT COURT
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MICHAEL HICKSON,	:	
	:	
Plaintiff,	:	CIVIL ACTION
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v.	:	No. 25-2980
	:	
PECO ENERGY COMPANY, et al.,	:	
	:	
Defendants.	:	

**MEMORANDUM IN SUPPORT OF PUC DEFENDANTS WOLF AND SHAPIRO'S
MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendants former Governor Wolf and his Successor, Governor Josh Shapiro, by counsel, respectfully submits this memorandum in support of their Motion for an extension of time to respond to Plaintiff's Complaint.¹

I. INTRODUCTION & PROCEDURAL BACKGROUND

Plaintiff Michael Hickson, who is proceeding *pro se*, commenced this civil action under 42 U.S.C. § 1983 by filing his Complaint on June 9, 2025 against multiple parties. ECF No. 1. Defendants former Governor Wolf and his Successor, Governor Josh Shapiro, were served with Summons on July 11, 2025. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Defendants Wolf and Shapiro's responsive pleading is due August 1, 2025. The Court has granted all other defendants in this matter until October 3, 2025 to respond to Plaintiff's Complaint. ECF Nos. 14, 15. Given the factual investigation required for Defendants Wolf and Shapiro's forthcoming response to

¹ Undersigned counsel reached out to *pro se* Plaintiff Michael Hickson via email on July 30, 2025 and July 31, 2025 to determine his position on this extension request in an attempt to present an agreed upon stipulation to the Court. At the time of filing, undersigned counsel has not received a response from Plaintiff.

Plaintiff's Complaint and to promote judicial economy, Defendants Shapiro and Wolf are respectfully requesting their deadline to answer, move, or otherwise respond to the Complaint to also be October 3, 2025.

II. ARGUMENT

A court has the authority under the Federal Rules of Civil Procedure, for good cause, to extend the time for any party to respond to a pleading. Fed. R. Civ. P. 6(b); *see Ryder v. Bartholomew*, 715 Fed. Appx. 144, 148 (3d Cir. 2017). Here, there is good cause to extend the time for Defendants Wolf and Shapiro to respond to Plaintiff's Complaint.

The undersigned counsel recently received notice of this lawsuit and due to the factual allegations within Plaintiff's lawsuit, Counsel needs more time to research and investigate a proper response to Plaintiff's pleading. Furthermore, thus far, the undersigned counsel has not received formal agreement from former Governor Wolf to represent him in his individual capacity.

Additionally, to create uniformity with the responsive pleading deadline for all defendants and promote judicial economy, Defendants Wolf and Shapiro are respectfully requesting their responsive pleading deadline also be October 3, 2025. Undersigned counsel also represents the PUC Defendants and this additional time would allow counsel to respond for all Commonwealth Defendants simultaneously to further streamline this litigation.

Lastly, this extension request is relatively brief and would not prejudice Plaintiff in any way, let alone in an unfair way.

For all the above reasons, the Defendants former Governor Wolf and Governor Shapiro respectfully submit that this extension is warranted and would serve the interests of justice.

III. CONCLUSION

Defendants former Governor Wolf and Governor Shapiro respectfully request that this Court extend their deadlines to answer, move or otherwise respond to Plaintiff's Complaint by October 3, 2025.

Respectfully submitted,

DAVID W. SUNDAY, JR.
Attorney General

Date: August 1, 2025

By: /s/ Adrienne M. Box

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Adrienne M. Box
Deputy Attorney General
Attorney I.D. No. 325818

Nicole R. DiTomo
Chief Deputy Attorney General
Civil Litigation Section

Counsel for Defendants Wolf and Shapiro

CERTIFICATE OF SERVICE

I, Adrienne M. Box, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on August 1, 2025, the foregoing document titled Defendants Wolf and Shapiro’s Motion for Extension of Time has been filed electronically on this date and is available for viewing and downloading from the Court’s Electronic Case Filing System (“ECF”) for all counsel of record, and also has been mailed to the following via U.S.

Mail:

MICHAEL HICKSON
6604 N. 12TH STREET
PHILADELPHIA, PA 19126

Date: August 1, 2025

By: /s/ Adrienne M. Box

Adrienne M. Box
Deputy Attorney General